IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2388 of 1997

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

ARJANBHAI H PITHADIA

Versus

JAYABEN H KHER

Appearance:

MR NS DESAI for Petitioner No. 1

MR PH GOHIL for Respondent No. 1

MR BB PARMAR for Respondent No. 1,2

MS NAYANA V PANCHAL for Respondent No. 3-4

GOVERNMENT PLEADER for Respondent No. 5

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 08/04/2004

ORAL JUDGEMENT

1. The petitioner was elected as Vice President of Taluka Panchayat, Mangrol against whom a No Confidence

Motion was moved on 11th February 1997. A Notice in this regard was published on 12.2.1997 which was served to all the members. Thereafter a meeting of the Taluka Panchayat was convened on 20th February 1997 in the afternoon. Out of 17 members, 14 members remained present and 10 members have voted in favour of the No Confidence Motion and therefore the motion was passed by two-third majority.

2. The matter was admitted on 20th November 1997 and no interim relief was granted. Apart from that the term of the Panchayat is already over. Under the circumstances the petition has become infructuous.

3. Accordingly the petition is disposed of as having become infrctuous. Rule is discharged with no order as to costs.

[K.S. JHAVERI, J.]
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